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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,473	09/12/2003	Joseph Tabe		6316

7590 08/16/2005

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EXAMINER

NGUYEN, TAI T

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/660,473

Applicant(s)

TABE, JOSEPH

Examiner

Tai T. Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Throughout the claims, the phrase "such as", for example, in claims 1, 3, 10, 14, 19, 21, and 27 renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 1, line 7, the phrase "randomly patrolling" is unclear. In line 18, it is unclear whether the "a transmitting means" is the same "transmitting means" as that of line 13. In line 18, it is unclear whether the "a receiving means" is the same "receiving means" as that of line 11. In line 19, it is unclear whether the "a sensor" is the same "sensor means" as that of line 12. In line 19, it is unclear what applicant intended by the "defined principles of detection". In line 21, it is unclear which "sensor means" is meant by the "at least a sensor means". In line 25, applicant should clarify what applicant intends by "other plurality security agencies". In line 31, it is unclear whether the "a jacket lining" is intended to be of the "wearable jacket" of line 30.

Claim 2, line 2, there is no antecedent basis for "said interactive processing means". In line 2, it is unclear whether the "a control means" is intended to be the

“control means” of line 27 of claim 1. In line 5, it is unclear what functions the “communication there-between” is between. In line 6, it is unclear what applicant means by “enabling improve signal”. In lines 6-7, it is unclear what applicant means by “a pattern of recognized detection”.

Claim 3, line 2, there is no antecedent basis for “said radio frequency signal”. In line 5, it is unclear whether the “a transmitter” is the same “transmitter” of that of claim 1, line 15. In line 9, it is unclear whether the “means for detecting” is the same as the “detection means” of claim 1, line 10. In line 10, applicant should clarify what “sensors” are intended by the “sensors embedded in at least a silicon substrate”. In line 20, applicant should clarify what is meant by “rotation means”. In lines 21-33, it is unclear what “transmitting means” are intended by “a transmitting means”, “enabled transmitting means” and “said transmitting means”.

Claim 4, line 8, it is unclear whether the “a designed outfit” is intended to be the “outfit” of claim 1, line 32.

Claim 9, line 3, it is unclear whether the “a control means” is the same “a control means” as that of claim 1, line 24.

Claim 10, line 6, the phrase “randomly patrolling” is unclear. In line 20, there is no antecedent basis for “processing means”.

Claim 11, line 3, it is unclear whether the “a sensory platform” is intended to be the “detection platform” of claim 10, line 4.

Claim 12, line 2, it is unclear whether the “a wearable outfit” is intended to be the “outfit” of claim 11, line 2. In line 5, it is unclear whether the “a control means” is intended to be the “control means” of claim 10, line 13.

Claim 13, line 2, it is unclear whether the “a wearable outfit” is intended to be the “outfit” of claim 11, line 2. In line 6, it is unclear whether the “a control means” is intended to be the “control means” of claim 10, line 13.

In claim 14, line 2, it is unclear whether the “an outfit” is intended to be the “outfit” of claim 11, line 2. In line 13, it is unclear what applicant intends by “a randomly patrolling environment”.

In claim 15, line 4, there is no antecedent basis for “sensory circuitry”.

In claim 16, line 3, it is unclear what applicant intends by “a randomly patrolling environment”. It appears that the claim is incomplete.

In claim 17, lines 4-5, it is unclear what applicant intends by the “analyte” being limited to a “metal oxide and/or semiconductor gas sensor”. In line 11, it is unclear whether the “an outfit” is intended to be the “wearable outfit” of line 2. In line 13, it is unclear what is meant by the “at least security agencies thereon”.

In claim 18, line 2, “senor” should read as ----sensor----. In line 2, it is unclear whether the “a wearable outfit” is intended to be the same as the “wearable outfit” of claim 17, line 2. In line 6, it is unclear whether the “an antenna means” is the same “antenna means” of claim 16, line 6.

In claim 19, lines 2-3, it is unclear whether the “a wearable outfit” is intended to be the same as the “wearable outfit” of claim 17, line 2. In line 6, it is unclear whether

the “a detection platform” is intended to be the same “detection platform” of claim 16, line 7.

In claim 21, line 4, it is unclear whether the “a control means” is the same “control means” as that of claim 16, line 9. In lines 4-5, it is unclear what is meant by the “wireless communication there-between”. In line 11, it is unclear what is meant by the “enabling said communication thereon”.

In claim 25, line 3, it is unclear whether the “a wind energy source” is the same “wind energy source” of claim 24, line 2.

In claim 27, line 3, it is unclear what applicant intends by “a randomly patrolling environment”. In line 20, it is unclear whether the “a sensing means” is intended to be formed of the sensors of lines 16-19. In line 23, it is unclear whether the “a platform” is intended to be the “detection platform” of lines 21-22. In lines 27-29, applicant should clarify the operation of the converting means. It is unclear what is meant by a “mass destruction frequency” and “digital communication signal thereon”.

In claim 28, line 4, it is unclear whether the “network for sensing” is intended to be the same as “the sensing means” of claim 27, line 23. In line 11, it is unclear what applicant intends by “communication with security agencies thereon”.

In claim 29, line 2, it is unclear whether the “an outfit” is intended to be the “outfit” of claim 27, line 2. In line 3, it is unclear whether the “a detection platform” is intended to be the “sensing means” of claim 27, line 23. In line 4, applicant should clarify the specific interaction of the detection means with the detection platform and outfit.

In claim 30, line 3, it is unclear whether the “a sensory platform” is the same as the “sensing means” of claim 27, line 3.

In claim 31, line 3, it is unclear whether the “an outfit” is intended to be the “outfit” of claim 27, line 2. In line 10, it is unclear whether applicant intends the control means and processor means to be the same control means and processor means of claim 28, line 7. In line 14, applicant should clarify what is intended by “security agencies thereon”.

In claim 32, line 9, it is unclear whether the “a sensor means” and “an antenna means” are intended to be the same as those of claim 27.

In claims 33-45, it appears that claims 33-45 have similar indefiniteness. Applicant should make appropriate corrections. It is further suggested that applicant extensively review all of the claims for grammatical and antecedents.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jacobsen et al. (US 6,198,394).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (571) 272-2961. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Tai T. Nguyen', with a stylized, flowing script.

Tai T. Nguyen  
Examiner  
Art Unit 2632

August 13, 2005